

**REMARKS**

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-24 were previously cancelled. In this Amendment, claims 25, 30, 32, 36 and 42 have been canceled, and claims 26-29, 33-35, and 37-40 have been amended. The Examiner is respectfully requested to reconsider the rejection of the claims in view of the amendments and remarks as set forth herein below.

**Claim Objection**

The Examiner has objected to claim 42, and the Applicants have cancelled claim 42. The objection is now moot.

**Claim Rejection Under 35 U.S.C. § 112**

The Examiner has rejected claims 36 and 40-42 under the provisions of 35 U.S.C. § 112, second paragraph, as being indefinite.

Applicants have cancelled claims 36 and 42, and it is respectfully submitted that the rejection of claims 36 and 42 is now moot.

Applicants have amended the phrase "the encoded data" in claim 40 to read "encoded data". Applicants have also amended claims 40 to recite a "first" wireless device and claim 41 to recite a "second" wireless device. Accordingly, it is respectfully submitted that amended claims 40 and 41 are not indefinite.

The Rejection Under 35 U.S.C. § 101

The Examiner has rejected 25-41 under the provisions of 35 U.S.C. § 101 as directed to non-statutory subject matter. The Applicants respectfully traverse the rejection. The pending claims are all clearly directed to an error correction method adapted for transmitting data between a transmitter and a receiver. MPEP Sec. 2106 describes computer related method claims which are directed to patentable statutory subject matter. A claimed process is patentable if it is directed to a to a practical application of an abstract idea or mathematical algorithm in the technological arts. See *Alappat*, 33 F.3d at 1543, 31 USPQ2d at 1556-57 (quoting *Diamond v. Diehr*, 450 U.S. at 192, 209 USPQ at 10). A claim is directed to a practical application when the method, as claimed, produces a concrete, tangible and useful result; i.e., the method recites a step or act of producing something that is concrete, tangible and useful. See, AT&T Corp. v Excel Communications Inc., 50 USPQ2d 1447, 1452 (Fed. Cir. 1999). For example, the MPEP states that "a claimed process for digitally filtering noise employing the mathematical algorithm is statutory". It is respectfully that the claimed method of correcting data transmitted between a transmitter and receiver is concrete, tangible and useful and that it is statutory subject matter. Accordingly, the Examiner is respectfully requested to withdraw the rejection based upon the provisions of 35 U.S.C. § 101.

The Rejection Under 35 U.S.C. § 103 Over U.S. Patent 6,754,290 (Halter)

The Examiner has rejected claims 25, 26, 28, 32, 34-36, 38 and 40-42 which were originally directed to a method of utilizing error correction codes. The Examiner has alleged that the rejected claims are unpatentable over U.S. Patent 6,754,290 (Halter). Claims 25, 32, 36 and 42 have been cancelled, and claims 26, 28, 34, 35, 38 and 40-41 have been amended to change their dependency. It is respectfully submitted that the cancellation of claims 25, 32, 36 and 42 makes their rejection moot. It is also respectfully submitted that additional features in the independent claims upon which claims 26, 28, 34, 35, 38 and 40-41 now depend are not present in Halter, and the rejection is not applicable to these amended claims. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

The Rejection Under 35 U.S.C. § 103 Over Halter In View of U.S. Patent 6,795,507 (Xin et al.)

The Examiner has rejected claims 27, 29-31, 33, 37 and 39 as being unpatentable over U.S. Patent 6,754,290 (Halter) in view of U.S. Patent 6,795,507 (Xin et al.) The Applicants respectfully submit that the amended claims are patentable over Halter in view of Xin et al.

The pending independent claims 27, 33 and 37, which were previously dependent claims, are all directed to error correction methods adapted for transmitting data between a transmitter and a receiver. Claims 27, 33, 37 and 39 have been amended to include features from cancelled independent claims and entry of the amendments is respectfully, because the amendments do not raise new issues.

Each of the independent claims includes first and second error correction codes, a step for determining from the first error correction codes whether there are errors in the data, and another step for transferring the data to an output circuit, when it is determined from the first error correction codes that there are no errors in the decoded data. While the Halter and Xin references may disclose the use of first and second error codes, both reference do not disclose how to use only the first correction code when it is determined that there are no errors in the data.

If one skilled in the art were to use the combined teachings of the Halter and Xin et al. references, the skilled artisan would decode the first and second error correction codes of Halter with the error decoding techniques of Xin et. al. The error decoding techniques of Xin et al. would not motivate the skilled artisan to use a single error correction in the appropriate circumstances disclosed and claimed by Applicants. Accordingly, it is respectfully submitted that all the pending independent claims 27, 33, 37, 39 and 42 are patentable over Halter in view of Xin et al.

Dependent Claims 26, 28, 29, 31, 34, 35 and 38-41

It is respectfully submitted that dependent claims 26, 28, 29, 31, 34, 35 and 38-41 are allowable over the prior art for at least the same reasons as the independent claims from which they depend.

**CONCLUSION**

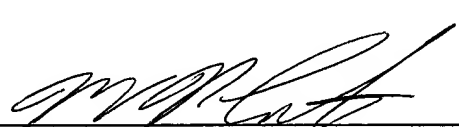
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard J. McGrath (Reg. No. 29,195), to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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